

Company Application Nos.78, 107 to 109 of 2019
in
C.P.No.339 of 1999

N.SATHISH KUMAR, J.

These Applications have been filed to direct the Official Liquidator to execute the sale deed as per the amendments suggested by him and hand over the same to the applicants for registration.

In a previous occasion this Court has recorded the submission of the Official Liquidator that the sale deed will be executed as all the Directors are impleaded. It is brought to the notice of this Court by the other side, a direction has been passed by this Court to register the documents as early as on 03.09.2017 in Company Application Nos.1981 and 2096 of 2006 in C.P.No.339 of 1999. The relevant portion of the above Order is extracted as follows :

“The applicants are also in possession of these flats for the past more than about 15 years. Today, there is no claim of the applicants from the company in liquidation. Therefore, there cannot be any impediment for granting the relief prayed for. Hence, both these applications are allowed, directing the learned Official Liquidator to execute and register the necessary sale deeds in favour of the applicants, strictly in terms of the agreement, subject however to the applicants bearing the costs of stamp duty and registration.”

N.SATHISH KUMAR, J.

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My predecessor in this application on 22.03.2019 had also passed a direction to the Official Liquidator and the same is extracted as follows :

“Be that as it may, to be noted, sale deed by which said apartment is to be conveyed to the applicant, shall contain description of the said apartment and the undivided share in land (UDS) as directed in the aforesaid original agreement dated 13.05.1999 between the applicant and the said company.”

In view of the positive directions already passed by this Court, this Court is of the view that no more direction is required for the Official Liquidator in these applications and the official liquidator shall carry out the directions as ordered. In view of the same, these applications are closed.

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12.07.2019

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